

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN THE MATTER OF:

**JOSE LUIS NIEVES ALBINO
ROSA YARITZA FLORES RODRIGUEZ
Debtor (s)**

**FIRSTBANK PUERTO RICO
Movant**

V.

**JOSE LUIS NIEVES ALBINO
ROSA YARITZA FLORES RODRIGUEZ
JOSE RAMON CARRION MORALES
CHAPTER 13 TRUSTEE
Respondents**

CASE NO: 09-00182 SEK

CHAPTER 13

11 USC 362 (d)

Request for relief from stay

MOTION FOR RELIEF FROM ORDER

TO THE HONORABLE COURT:

COMES NOW creditor FIRSTBANK PUERTO RICO represented by the undersigned attorney and respectfully sets forth and prays as follow:

1. The appearing party's attorney failed to appear at the preliminary hearing in the present case because of a confusion at to whom would substitute the undersigned at the hearing.
2. The motion was denied for lack of prosecution.
3. Nonetheless, the post-petition arrears for \$4,274.88 up to October 2020 (plus November and December \$281.48 each) have not be paid. Thus, cause persist to lift the stay because debtor is not complying with the old and new confirmed plan.

Wherefore, it is respectfully requested that the order denying the Relief from Stay be set aside and a hearing be set to consider the same.

CERTIFICATE OF SERVICE

I hereby certify that on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which shall send notification of such filing to Jaime Rodriguez Perez, counsel for the Debtor Jose L. Nieves Albino and Rosa Y. Flores Rodriguez, the Chapter 13 Trustee and to all CM/ECF participants.

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